

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
v. ) Crim. No. 05-10086-RGS  
CLAUDIO VILLAR, )  
a/k/a Luis Rios-Colon, )  
a/k/a Junior, )  
Defendant. )

# **JOINT INITIAL STATUS REPORT**

The United States of America and the defendant, Claudio Villar, a/k/a Luis Rios-Colon, a/k/a Junior, by their respective undersigned counsel, submit this joint status report pursuant to Local Rule 116.5(A) and the Initial Scheduling Order issued by United States Magistrate Judge Judith Gail Dein on April 11, 2005 (the "Initial Scheduling Order").

## 1. Local Rule 116.3 Timing Requirements

At this time the parties do not seek relief from the timing requirements imposed by L.R. 116.3 and the Initial Scheduling Order.

## 2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the controlled substance involved in this case, it will offer expert testimony regarding the heroin at issue. The defendant reserves his right to seek such discovery.

3. Additional Discovery

Rule 16 and automatic discovery materials have been provided or made available to defendant's counsel. In the event that the government becomes aware of any additional Rule 16 and/or automatic discovery material, it will immediately provide such material to counsel for the defendant.

4. Motion Date

The parties jointly request that all motions be filed on or before July 5, 2005, and any responses be served by July 19, 2005. The parties also request that the time between the Initial Status Conference and the date of the Final Status Conference be excluded from all Speedy Trial Act calculations.

5. Speedy Trial Act

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

4/11/05 - 5/9/05      Order on Excludable Time (USMJ Dein, April 11, 2005)

5/23/05 - date of      Excluded as set forth above  
Final Status Conf.

As of the Final Status Conference, 24 days will have been counted (3/30/05 - 4/10/05 (11 days) and 5/9/05 - 5/22/05 (13 days)) and 46 days will remain under the Speedy Trial Act.

6. Anticipated Trial

It is too early to tell whether a trial will be needed in this matter. The United States estimates that a trial would last approximately 4 days.

7. Final Status Conference

The parties request that a Final Status Conference be scheduled for July 19, 2005, or as soon thereafter as is convenient for the Court.

Respectfully submitted,

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By:

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May 18, 2005